

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:21-cr-00575-HEA-NCC
)	
DAVID B. ARMSTRONG,)	
)	
Defendant.)	

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, the United States Attorney for the Eastern District of Missouri, and Robert F. Livergood, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate Judge pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is currently detained for an alleged supervised release violation in *United States v. David B. Armstrong*, 4:08 CR 214 ERW. In the 4:08 CR 214 ERW case, defendant pleaded guilty to two counts Possession of Child Pornography and was sentenced to 51 months' imprisonment followed by lifetime supervised release.

2. Defendant is charged with an offense for which a maximum of at least 10 years imprisonment is prescribed under Title 18, United States Code, Section 2252A(a)(2) (receipt of child pornography).

3. Defendant was on supervise release at the time of this offense. As defendant is alleged to have committed this while under supervised release, defendant has shown that he is unable to follow conditions of release and therefore is a is a serious threat to the community, and there is a serious risk that he may flee.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
UNITED STATES ATTORNEY

/s/ Robert F. Livergood

ROBERT F. LIVERGOOD, #35432MO
Assistant United States Attorney
Thomas F. Eagleton Courthouse
111 South Tenth Street, 20th Floor
St. Louis, Missouri 63102
(314) 539-2200